

Newsday
MEDIA GROUP

1111 Stewart Avenue
Bethpage, New York 11714
tel: 516/803-3298
fax: 516/803-3973

Jeff Grossman
Senior Counsel, News

March 5, 2010

Via Facsimile (to 718-613-2365)

Hon. Cheryl L. Pollak, U.S. Magistrate Judge
U. S. District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Hartmann v. Officer Karl N. Senders, 04 CV 1784 (CLP)

Your Honor:

As counsel for Newsday LLC, the publisher of *Newsday*, I write regarding the Court's order filed today. While the Court has, in response to the application of Newsday's reporter, ordered the release of jurors' names and addresses and a redacted copy of the voir dire proceeding, the court has additionally instructed the Clerk of the Court to first call each of the nine jurors who served and read them a "supplemental instruction" cautioning them against speaking to the media. The Order does not specify when the Clerk is to carry out these phone calls.

While expressly reserving all rights and arguments with respect to the Court's Order, Newsday is particularly concerned about the "supplemental instruction" portion of the Court's Order, and does not believe it is appropriate under the law. Newsday therefore requests that the Court instruct the Clerk not to commence any phone calls prior to Tuesday, March 9, at 5 p.m., in order to give Newsday time to evaluate its legal options and potentially seek an appeal of that portion of the Court's order. I would respectfully ask the Court to notify Newsday via phone or fax whether the Court will grant Newsday's request in this regard.

Sincerely,


Jeff Grossman

*Request denied.
The calls have been
made.*

*So Ordered
C/L Pollak
USMJ
3/5/10*